

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E.F., *et al.*,

Plaintiffs,

-against-

Mayor Eric Adams, *et al.*,

Defendants.

Civ. No.: 21-cv-11150 (ALC)

**REPLY DECLARATION OF ELISA HYMAN, ESQ. IN SUPPORT OF
PLAINTIFFS' MOTION FOR A TRO AND PRELIMINARY INJUNCTION**

ELISA HYMAN, ESQ. DECLARES UNDER PENALTY OF PERJURY PURSUANT
TO 28 U.S.C. §1746 THAT THE FOLLOWING IS TRUE AND CORRECT:

1. I am a member of the Bar of the State of New York and of this Court. I am co-counsel for the Plaintiffs in the above-captioned case.
2. I submit this declaration in further support of the Plaintiffs' Motion for a Preliminary Injunction and in reply to Defendants' opposition.
3. I had email communications with City Defendants' counsel, Mr. Rauchberg, on February 8, 2022, during which time he confirmed that "DOE records confirm that all of the named student Plaintiffs are currently classified as students with disabilities under the IDEA by the DOE."

List of Exhibits

4. Attached hereto as Exhibit A is a true and, upon information and belief, correct copy of a list of Hard-to-Recruit Titles Excepted from the Residence Requirements

Pursuant to Section 12-121 of the Administrative Code issued by New York City DCAS as of 2018 published at

<https://www.osc.state.ny.us/files/reports/osdc/pdf/report-18-2022.pdf>

5. Attached as Exhibit B as a true and correct copy of the OATH Trials Division Case Status dataset published on New York City Open Data website at the link <https://data.cityofnewyork.us/City-Government/OATH-Trials-Division-Case-Status/y3hw-z6bm>, with a cover page describing the data. I originally downloaded a csv file of this data and converted it to pdf/A format.
6. Attached hereto as Exhibit C is a true and correct copy of the United Federation of Teacher's Union Verified Improper Practice Petition dated December 21, 2020, behalf of hearing officers against the Office of Administrative Trials and Hearings ("OATH"), the New York City's Verified Answer dated January 15, 2021, and the UFT's Verified Response dated February 12, 2021, as well as attached, as well as exhibits attached thereto.

Executed in New York, New York on February 9, 2022

/s/Elisa Hyman

Elisa F. Hyman, Esq.